

NORTH CAROLINA GENERAL ASSEMBLY
1961 SESSION

CHAPTER 525
HOUSE BILL 677

AN ACT TO CREATE A LAW ENFORCEMENT OFFICERS' RELIEF FUND FOR
THE PEACE OFFICERS ASSOCIATION OF BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Section 1. This Act shall be known and may be cited as the Bladen County Peace Officers' Relief Act.

Sec. 2. Law enforcement officers shall be deemed to include all peace officers in Bladen County, who are required by the terms of their employment to give full time to the preservation of public order, in protection of public order, the protection of life and property, and the detection of crime, and all special officers or citizens who may be killed or injured while aiding or assisting regular peace officers, or while acting as such officers.

Sec. 3. The Bladen County Peace Officers' Association has been formed and the membership of the association includes all law enforcement officers who meet the requirements of this Section.

Peace officers who are entitled to membership in the association shall make application on blanks to be furnished for that purpose, giving such information as may be required by said association, and shall pay an initiation fee and the annual dues to be fixed by the executive board; however, such initiation fee shall not exceed five dollars (\$5.00) and such dues shall not exceed twelve dollars (\$12.00) per annum.

Sec. 4. The officers of the Bladen County Peace Officers' Relief Association shall be governed by an executive board consisting of the following members: the chairman of the County Board of Commissioners of Bladen County, the Sheriff of Bladen County, the officers in charge of the State Highway Patrol in Bladen County, and the Chief of Police of one of the following towns in Bladen County: White Lake, Bladenboro, Elizabethtown, Clarkton, and one member of the Wildlife Resources Commission.

At its first meeting, the said board shall organize and elect a chairman. The board shall meet in January of each year thereafter and elect a chairman, and such other meetings as may be necessary shall be held on the call of the chairman or any two members. A majority of the executive board shall constitute a quorum for the transaction of business. The board shall have authority to make such rules, regulations, and provisions as may be necessary to the proper administration of this Act.

Sec. 5. In all criminal cases in Bladen County, North Carolina, brought in all courts wherein defendant enters a plea of guilty, or shall be adjudged guilty by the court

or found guilty by a jury, wherein the costs of the action are paid by the defendant, there shall be taxed in the bill of costs a fee of one dollar (\$1.00), to be known as the Bladen County Peace Officers' Relief Fee, and shall be collected as other costs in the criminal cases are collected by a justice of the peace, clerk, or other officer of the court authorized to receive costs. Provided, however, that such officers' relief fee shall not be taxed in the costs in the cases where the cost is paid by the county or in cases of conviction or plea of guilty for the violation of a city ordinance, or in cases instituted under Article 40, Chapter 14 of the General Statutes, relating to the protection of the family.

Such funds shall be turned over to the secretary and treasurer of the board not later than the tenth day of each month with a fully itemized report of the cases in which collected. Any justice of the peace, clerk, or officer of the court who willfully fails to make such report within such time or who knowingly and willfully fails to report any item taxed or collected whether or not the same shall be legally taxable or collectible, shall be guilty of a misdemeanor and shall be fined or imprisoned or both within the discretion of the court.

Donations and contributions to the Bladen County Peace Officers' Relief Fund may be received from any source approved by the executive board.

Sec. 6. The money paid into the Bladen County Peace Officers' Relief Fund shall be used for the relief of any member of the association who may be injured, or rendered sick by disease contracted in the actual discharge of his duty as a law enforcement officer, and for the relief of his widow, dependent children or dependent parents, in the event of his death in the actual discharge of his duty.

Every person entitled to benefits under this Section shall make application to the executive board. The board, after requiring a thorough medical examination or carefully reviewing the medical findings of a competent physician or physicians and after carefully investigating each such application, shall determine what benefits, if any, shall be paid. Provided, that not more than five hundred dollars (\$500.00) can be paid to any law enforcement officer or his dependents in any calendar year, and that no action at law or suit in equity shall be maintained against the association to enforce any claims or recover any benefit. Provided, further, that benefits shall not be denied to a person entitled to membership in the association unless he shall have had thirty (30) days from the time of his appointment, election, summons, or deputization in which to apply for membership.

Sec. 7. The executive board shall appoint a treasurer of the fund who shall also serve as secretary to the board. He shall give good and sufficient bond and the cost of the bond shall be paid from the funds of the association.

The accumulated funds of the association may be invested by the executive board in bonds of Bladen County, the State of North Carolina, and the United States Government, and other securities as approved for investments by a fiduciary.

Expenditures shall only be made upon vouchers properly signed by the chairman of the executive board and the treasurer.

Sec. 8. Members of the executive board shall serve without compensation. Reasonable office and stationery supplies and medical advisory fees may be paid for out of the funds of the association.

Sec. 9. The executive board shall have authority to insure the members of the Bladen County Peace Officers' Relief Fund against death or disability, or both during the term of their employment under forms of insurance known as a group or other insurance, and the premiums on such insurance shall be payable out of the funds of the association.

Sec. 10. All laws and clauses of laws in conflict with this Act are hereby repealed, and if any Section hereof be decided by the court to be invalid, the same shall not affect the validity of this Act as a whole or any other part thereof, other than the part decided to be unconstitutional or invalid.

Sec. 11. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 26th day of May, 1961.